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REPLY UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1636

PATENT  
2185-0424P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Norihisa OOE et al. Conf.: 8838  
Appl. No.: 09/550,173 Group: 1636  
Filed: April 14, 2000 Examiner: D. LAMBERTSON  
For: CELL FOR MEASURING THE ABILITY TO  
CONTROL THE ACTIVITY OF A LIGAND-  
RESPONSIVE TRANSCRIPTION CONTROL FACTOR

INFORMATION DISCLOSURE STATEMENT  
(SUBMISSION AFTER FINAL REJECTION)

**MS AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 9, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES

- a.  This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b.  This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents

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and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

**III. CONCISE EXPLANATION OF THE RELEVANCE**  
(check at least one box)

a.  **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b.  **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c.  **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d.  **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(d) :

after the mailing date of a Final Action under § 1.113.

See the Statement Under 37 C.F.R. § 1.97(e).

V. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a.  each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b.  no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c.  Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

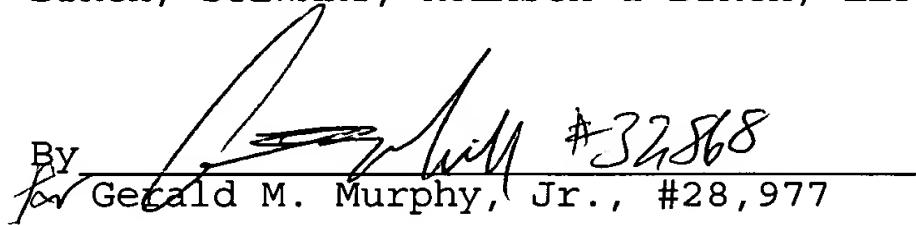
- A check in the amount of \$180.00 is enclosed for the fee required under 37 C.F.R. § 1.97(d) and as set forth in 37 C.F.R. § 1.17(p).
- Please charge Deposit Account No. 02-2448 in the amount of \$180.00 for the fee required under 37 C.F.R. § 1.97(d) and as set forth in 37 C.F.R. § 1.17(p). A triplicate copy of this paper is attached.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

  
By \_\_\_\_\_  
for Gerald M. Murphy, Jr., #28,977

*KLR*  
GMM/KLR:gmh  
2185-0424P

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- Attachment(s):  PTO-1449  
 Documents  
 Foreign Search Report  
 Fee  
 Other: \_\_\_\_\_

(Rev. 09/30/03)

Form PTO-1449

ATTY. DOCKET NO.

APPLICATION NO.

2185-0424P

09/550,173

APPLICANT

Norihisa OOE et al.

FILING DATE

April 14, 2000

GROUP

1636

O INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

JAN 09 2004

(Use several sheets if necessary)

PATENT &amp; TRADEMARK OFFICE

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	KIND	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US 5,650,283	A	1997-07-22	Bradfield et al.			
	US						
	US						
	US						
	US						
	US						
	US						

## FOREIGN PATENT DOCUMENTS

Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
WO	95/06754	A1	1995-03-09	PCT				
WO	96/30505	A1	1996-10-03	PCT				

## OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

M.S. DENISON et al.; TOXICOLOGY AND APPLIED PHARMACOLOGY; Vol. 152; No. 2; October 1998; pages 406-414; XP002106047.
Lawrence E. HEISLER et al.; MOLECULAR AND CELLULAR ENDOCRINOLOGY; Vol. 126; No. 1; 1997; pages 59-73; XP002258410.
Joseph OSTBY et al.; TOXICOLOGY AND INDUSTRIAL HEALTH; Vol. 15; No. 1-2; January 1999; pages 80-93; XP008023498.
Anne RENTOUMIS et al.; MOLECULAR ENDOCRINOLOGY; Vol. 4; No. 10, 1990; pages 1522-1531; XP008023532.
Momoyo KUBOTA et al.; JOURNAL OF BIOCHEMISTRY; Vol. 110; No. 2; 1991; pages 232-236; XP008023497.
Masako IZUMI et al.; EXPERIMENTAL CELL RESEARCH; Vol. 197; 1991; pages 229-233; XP000196772.
James L. O'CONNOR et al.; STEROIDS; Vol. 64; No. 9; September 1999; pages 592-597; XP002258411.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

KLR  
GMM/KLR/gmh